
Minutes
Regular Meeting
December 19, 2013

Present: Mayor Kenneth F. Neilson, Councilmen Bill Hudson, Thad Seegmiller, Kress Staheli, Ronald Truman, Jeff Turek, City Attorney Jeff Starkey, City Manager Roger Carter, City Recorder Danice Bulloch, Deputy Recorder Tara Pentz, Community Development Director Drew Ellerman, Public Works Director Mike Shaw, Police Chief Jim Keith, IT Director Steve Whittekiend, IT Support Manager Kelly Carlson, GIS Administrator Dale Simper, Human Resource Director Ruth Holyoak, Audience: Jim Raines, Garth Nisson, Jason Velez, Gary Davis, Melissa Shirley

Meeting commenced at 6:00 P.M.

Invocation: Councilman Truman

Pledge of Allegiance: Councilman Hudson

1. APPROVAL OF THE AGENDA

Mayor Neilson requested Item 9 be tabled which can be noted when this item is reached within the agenda. He would also ask Item 5A be removed from the agenda.

City Attorney Jeff Starkey clarified the Planning Commission should be the decision making body for Item 5A, which was not their understanding at the time they heard the item. As they were under the impression they were a recommending body only they have been notified they will be hearing the item in a future meeting. The notifications sent out clearly stated the Planning Commission was a recommending body only. We want to make sure the item is heard as fairly as possible.

Councilman Hudson made a motion to approve the agenda with the removal of Item 5A and the tabling of Item 9 until January. Councilman Truman seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

2. **ANNOUNCEMENTS**

Councilman Turek announced two of our IT Staff participated in the Dixie State University Code Camp. This event in which they are allowed 24 hours to design and implement a program. He would like to congratulate Steve Whittekiend and Kelly Carlson taking 3rd place in the professional division.

City Manager Carter stated he would like to take this time to announce the Department of the Year as well as the Employee of the Year. On Tuesday night at the Community Center Christmas Party, Benjamin Rae, Aquatic Director was announced as Employee of the Year. Tonight we would like to recognize the Informational Technology as the Department of the Year, employees include Steve Whittekiend, Dale Simper and Kelly Carlson. They have done a fantastic job this past year, and we are very lucky to have them as employees of Washington City.

3. **DECLARATION OF ABSTENTIONS & CONFLICTS**

None

4. **CONSENT AGENDA**

APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meeting of 11/26/13, 12/10/13, and 12/11/13.

BOARD AUDIT REPORT: Consideration to approve the Board Audit Report for November

Councilman Turek made a motion to approve the consent agenda. Councilman Hudson seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

5. **MINOR SUBDIVISION**

**A. Consideration to approve a Minor Subdivision for the Dixie Montessori Academy Minor subdivision, located approximately at 600 West 800 North.
Applicant: Mike Clauser, The Boyer Company**

Removed from agenda.

6 **FINAL PLATS**

A. Consideration to approve the Final Plat for Coral Ridge Townhomes, Phase 3C, located at approximately 4250 East 2100 North. Applicant: Henry Walker Homes

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a final plat for the Coral Ridge Townhomes, Phase 3C subdivision, located at approximately 2100 North 4250 East. This particular phase of the subdivision is proposing 36 lots on an area covering 3.7045 acres. The specific location of this subdivision is zoned PCD (Planned Community Development) as part of the Coral Canyon development. The Amended Preliminary Plat was approved back on May 8, 2013.

Staff has reviewed the requested proposal, and the proposed final plat, phase 3C, conforms to the approved amended preliminary plat.

The Planning Commission unanimously recommended approval of the Final plat for the Coral Ridge Townhomes, Phase 3C subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved amended preliminary plat.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a post maintenance agreement be recorded prior to the recording of the final plat.

Councilman Hudson made a motion to approve the Final Plat for Coral Ridge Townhomes, Phase 3C, located at approximately 4250 East 2100 North with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Staheli seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>

B. Consideration to approve the Amended Final Plat for Bristol Park Townhomes, Phase 2, located at approximately 100 North 1250 East. Applicant Chuck Spilker

Community Development Director Drew Ellerman:

The applicant is requesting approval of an amended final plat for the Bristol Park Townhomes, Phase 2 subdivision, located at approximately 100 North 1250 East. This particular amendment request is to change the footprint of the unsold units to accommodate for a two car garage, versus the existing single car garages. The adjustment to each (non-built) unit footprint is minor and will allow the developer to meet the market demand for his remaining townhomes (yet to be built), which consist of the four main buildings at the east end of the project.

Staff has reviewed the requested proposed amendment, and finds no problem with this minor adjust to the individual townhome footprints. The amended phase 2 subdivision conforms to the approved preliminary plat (minus a few units). Those units being eliminated, will require the capping of all utilities (at the source), before recording can take place.

The Planning Commission unanimously recommended approval of the Amended Final Plat for the Bristol Park Townhomes, Phase 2 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The amended final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the amended final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed amended final plat conforms to the approved preliminary plat.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a post maintenance agreement be recorded prior to the recording of the final plat.

Councilman Hudson asked if the driveways in the corner lots were always designed with the type of shared access.

Community Development Director explained they have made the units bigger, so they decided to

make the entire portion concrete rather than trying to separate the bottom part of the driveway.

Councilman Seegmiller commented it puts a lot of cement in the front of the units.

Councilman Staheli made a motion to approve the Amended Final Plat for Bristol Park Townhomes, Phase 2, located at approximately 100 North 1250 East with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Hudson seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

7. PUBLIC HEARINGS AND RELATED ORDINANCES

A. Public Hearing for consideration to approve a Zone Change application Z-13-14, requesting to change the present zone from R-1-6 (Single Family Residential minimum 6,000 square foot lots) to R-2 (One and Two Family Residential) zone, located approximately at 456 North Main Street. Applicant: Don & Barbara Johnson

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval to change the zoning of approximately .44 acres, located at 456 North Main Street. The requested change is from the current zoning of Single-Family Residential - 6,000 Square Foot Min. (R-1-6), to a proposed One and Two-Family Residential (R-2) zoning designation.

The R-2 zoning district allows for either, one (1) two family dwelling unit, or, two (2) single family dwelling units on a single lot. The applicant is proposing a single dwelling unit for two family residences (main level home, with a basement dwelling unit below).

The General Plan Land Use Map designation for this location is Medium High Density Residential (MHD) which allows for density ratios of 7 to 12 dwelling units per acre. This proposed zone change ratio would be 4.55 d.u. / ac., well below the general plan densities.

The surrounding zoning districts are R-1-6 to the north, west, east and south.

Staff has reviewed the proposal, it does fall within the General Plan Land Use plan at this particular location.

The Planning Commission unanimously recommended approval of Z-13-14, for the zone change request from Single-Family Residential - 6,000 Square Foot Min. (R-1-6) to the One and Two-Family Residential (R-2) zoning designation, to the City Council, based on the following findings:

Findings

1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. That the requested zoning will be compatible with surrounding developments.
3. That the utilities that will be necessary for this type of development will be readily accessible to the site.

Councilman Staheli asked if there was a home is already being rented as a duplex.

Community Development Director Ellerman explained the request is for future when the homeowners plan to retire in order to help with expenses.

Councilman Turek asked for clarification on the parking.

Community Development Director Ellerman reviewed the proposed parking with Council.

Councilman Truman asked if it is a usual request to ask for this type of zone in the particular area.

Community Development Director Ellerman explained it is only the second request of this type for zoning in the downtown area. It is a permitted use, and he is certain there are other homes being used for the same type of uses, but we have not had any problems with them.

Councilman Staheli asked if there could ever be any way the manufacture home could be moved and someone could come in and build.

Community Development Director Ellerman stated in this particular situation the home could be moved, and as long as the building met the zoning requirements, the property could be built on.

Councilman Staheli asked for clarification on the lot size.

Community Development Director Ellerman stated the property is nearly ½ acre lot, which per the current zoning, they could nearly separate the property into 3 parcels.

Councilman Hudson stated he has been concerned about increasing density in the downtown area. For this reason, he will be voting against the request.

No comment made by the public.

Councilman Turek made a motion to close the public hearing. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

B. Consideration to approve an Ordinance adopting Zone Change request Z-13-14 to change present zone from R-1-6 to R-2 zone.

Councilman Trunian made a motion to approve an Ordinance adopting Zone Change request Z-13-14 to change present zone from R-1-6 to R-2 zone. Councilman Turek seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Nay</i>
<i>Councilman Seegmiller</i>	<i>Nay</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

8. EASEMENT

A. Consideration to grant an easement to Interlinx Communications, located at the north end of 300 East at approximately 650 North 300 East, within the City Power Yard. Public Works Director Mike Shaw

Public Works Director Mike Shaw reviewed:

Interlinx, a wholesale fiber optic provider, has requested an easement to get a fiber optic line to the cell tower located at the old City Yard at the top of 300 East. This line would allow the cell service providers who reside on the tower to upgrade the service from the tower to 4G. They have been very cooperative and understanding of the potential future plans for the area and agreed to abandon the easement whenever the City deems it necessary, and at no cost to the City. They plan to directional drill the conduit within 3 feet of the ROW fence along I-15. Impacts to the property will be very minimal.

Councilman Hudson asked for clarification on the location of the line.

Public Works Director Shaw explained the location and installation of the easement. When the frontage road, which is planned for, is installed the application understands they would have to relocate at their own expense.

Councilman Hudson made a motion to grant an easement to Interlinx Communications, located at the north end of 300 East, at approximately 650 North 300 East, within the City Power Yard. Councilman Turek seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

9. PLANNING COMMISSION APPOINTMENT

A. Consideration to appoint the 2014 Planning Commission Chair. Kenneth F. Neilson, Mayor

Mayor Kenneth Neilson requested the item be tabled until the next City Council Meeting.

Councilman Hudson made a motion to table the appointment of the 2014 Planning Commission Chair until the January 8, 2014 meeting. Councilman Turek seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

10. ANNUAL COUNCIL BUSINESS

- A. Consideration to approve the 2014 Meeting Schedule for the City Council.**
- B. Consideration to approve the 2014 Council Members assignments.**
- C. Consideration to elect a 2014 Mayor Pro-Tem.**

Mayor Neilson asked if there were any requests to change the date and times to the meetings.

There were no changes requested.

Councilman Hudson recommended the assignments be reviewed once the new City Council Member was in place.

** Mayor Neilson recommended Councilman Jeff Turek as the Mayor Pro-Tem.*

Councilman Seegmiller made a motion to approve the 2014 Annual Council Business to include the Meeting Schedule to remain the 2nd and 4th Tuesdays and Wednesdays to being at 6:00 P.M. and to appoint Councilman Jeff Turek as the Mayor Pro-Tem. Councilman Staheli seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

11. ALCOHOL LICENSE

- A. Consideration to give Local Consent to Royal Thai Cuisine for a Limited Restaurant Liquor License**

Councilman Hudson made a motion to give Local Consent to Royal Thai Cuisine for Limited Restaurant Liquor License. Councilman Seegmiller seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

12. ANNEXATION PETITION

A. Consideration of accepting or denying the Petition request for Annexation of North Green Springs Addition, property located at approximately 1400 West 1900 North. Applicant: School Institutional Trust Lands

City Recorder Danice Bulloch reviewed:

The enclosed application is a request from School Institutional Trust Lands Admin. who is represented by Jim Raines. SITLA is requesting an annexation of 29.32 acres of property located approximately 1400 West 1900 North. The property is adjacent to Washington City's northwest boundary. The proposed annexation fall within Washington City's Master Annexation Areas.

The item before the Council is a request to proceed with the annexation process. Staff has reviewed the application and recommends to the Council to give consent to proceed with the annexation process.

Councilman Turek clarified the location of the property.

Councilman Staheli made a motion to accept the Petition request for Annexation of North Green Springs Addition, property located at approximately 1400 West 1900 North. Councilman Seegmiller seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

13. SPECIAL EVENT

A. Consideration to approve a Special Event to use the ball fields for the fireworks display for the "New Years Eve Family Fest". Applicant: Washington City Community Center

City Recorder Danice Bulloch reviewed:

This is the first time Washington City has held an event on New Years Eve to include fireworks. With the noise, which comes along with fireworks, she has placed the item on the agenda for City Council approval. It will be the same set-up as we hold on Cotton Days.

Councilman Hudson asked if there were any concern with traffic issues.

Police Chief Keith stated they do not anticipate any type of traffic issues. They anticipate most of the participants will already be at the Community Center for the New Years Eve event.

Councilman Hudson asked if he has any concerns with the event.

Police Chief Keith stated he does not have any concerns.

Councilman Hudson asked if there would be any way to notify the neighbors of the event.

City Manager Roger Carter stated it will be interesting to see if there will be any complaints.

Councilman Staheli stated he feels this may be the start of a new tradition in Washington City. The event will also give the residents somewhere to celebrate the New Years.

Councilman Hudson stated again he would like the immediate neighbors to be notified.

Councilman Turek stated he feels the only neighbors that would need to be notified would be the immediate neighbors to the east and the trailer park to the south.

Councilman Staheli made a motion to approve a Special Event to use the ball fields for the fireworks display for the "New Years Eve Family Fest" with the notification of the neighbors left up to the Community Center. Councilman Turek seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Nay</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

14. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

Councilman Truman stated the Southwest Mosquito Abatement budget was approved. They hope to find a new manager before the weather starts to warm up.

Councilman Turek stated the Flood Control Committee has been through the budgeting process as well. Their budget was approved and has moved on to the State. There was an MPO meeting today, they are fast tracking the studying for the underpass on to Mall Drive. They have also updated the TIP Funding for our Purgatory Connection. There is some tentative funding upon

further discussion with the County Commission.

15. CITY MANAGER REPORT

City Manager Carter stated the insurance company has been here since the flooding. We have had moisture testing for the room, and it seems we will be okay. There is some issues with the carpeting on the walls, as well as the floor. There will also be some treatment discussions on the ceiling in the basement from a permanent records and server room standpoint. January 8th will be the ribbon cutting on the Southern Corridor.

* Mayor Neilson excused himself from the meeting at 7:01 P.M. He thanked Councilman Bill Hudson for working with him, as well as wished Staff and Council Members a Merry Christmas.

16. FINANCE

A. Consideration to make employee compensation adjustments and recommended hires. Councilmen Turek and Councilman Staheli

Mayor Pro-Tem Jeff Turek explained he has been working with Councilman Staheli along with Staff in order to allow for the proposed increases and new hires as was proposed at the time of the original budget approval. He has worked with City Treasurer Wheelwright as well with the proposed projections of surplus funds. This proposal would allow for the employees who have been in the pay freezes to be brought up to there 100% comp ratio.

Councilman Staheli stated we have had growth over the past several years and are providing additional services without additional staffing.

Councilman Truman asked who does the studies for the comp ratios, and who are the employees being compared.

Mayor Pro-Tem Turek explained once an employee reaches 100%, they would not go beyond a 2% pay increase. However, the pay raise would be given based on a favorable review.

Councilman Seegmiller clarified the request is for the remainder of the year.

Mayor Pro-Tem Turek stated the totals being reviewed by Council are for a full year. This amount would be cut in half for the remainder of the budget beginning in January and will end at the fiscal year of June 30, 2014.

Mayor Pro-Tem Turek continued with the proposed employee new hires.

Councilman Hudson suggested outsourcing employees for building inspection. It would allow for the fluctuation for the building to go up or down without the risk of having to let employees go.

Mayor Pro-Tem Turek continued the review for proposed new employee hires.

Councilman Truman stated he has no doubt our City Employees work hard, and have taken on additional responsibilities. However, he does not know if it is appropriate to give raises when the private sector is still struggling.

Mayor Pro-Tem Turek stated he can verify our City is the only one in the surrounding area to not give pay increases this year. We are compared to other Cities in the State of our size, which is where the comp ratio comes from.

Councilman Truman stated he does have an issue with the Government sector as their are better benefits offered as well as better pay packages.

Mayor Pro-Tem Turek stated this is something, which has been in the understanding inworking for Government. You work for less money because you have a better package in benefits and retirement.

Councilman Staheli stated the biggest portion of the pay increase is for the lower paid employees who have been at the very low end of their pay scale for such a long time, and getting them up to a competent pay.

Councilman Hudson stated it worries him to allocate all of the Fund Balance with the big road projects in the fields.

Mayor Pro-Tem Turek stated if you hold the 25% we will not touch fund balance.

Councilman Staheli stated with the growth of Washington City, we see more of our citizens shopping within our area, which will also increase our overall revenue.

City Manager Carter stated we had the highest sales tax revenue year, even with all of the vacant spaces within the City.

Mayor Pro-Tem Turek stated we have budget \$10,000 for the Christmas Party, which they would like to have given to the key part-time employees as decided upon by the Department Heads.

Councilman Seegmiller thanked Councilman Turek and Staheli for their work on this proposal.

Councilman Truman stated he would vote in favor of this item based on the calculation, which have been presented tonight.

City Manager Carter stated they have done the very best they can on the calculation

Councilman Seegmiller made a motion to approve the employee compensation adjustments and recommended hires. Councilman Hudson seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>

Councilman Staheli Aye
Councilman Truman Aye
Mayor Pro-Tem Turek Aye

17. ADJOURNMENT

Councilman Staheli stated it has been an honor to work with Councilman Hudson. He would like to give him a heartfelt thank you.

City Manager Carter stated on behalf of Staff he appreciates Councilman Hudson guidance.


Councilman Seegmiller made a motion to adjourn the Regular Meeting. Councilman Truman seconded the motion; which passed with the following roll call vote:

Councilman Hudson Aye
Councilman Seegmiller Aye
Councilman Staheli Aye
Councilman Truman Aye
Mayor Pro-Tem Turek Aye

Meeting adjourned at 7:26 P.M.


Passed and approved this 8th day of January 2014.

Attest by:


Danice B. Bulloch, CMC
City Recorder



Washington City


Kenneth F. Neilson, Mayor

